

REMARKS

The Office Action mailed July 22, 2003 has been reviewed, and Applicant notes with appreciation the Examiner's determination that Applicant has sufficiently addressed the Examiner's questions regarding testing, and that the Examiner has concluded that public use or sale did not exist more than one year prior to the filing date of this application. Accordingly, Applicant submits this proposed Amendment in order to change the inventorship by deleting Michael A. Fridley as a co-inventor, leaving Jim Smit as the sole inventor, and amending the claims in an effort to place this application in condition for allowance.

In doing so, Applicant has canceled claims 3, 4, 12, 17, 18 and 20 without prejudice or disclaimer, leaving only claims 1-2, 5-11, 13-16 and 19, with claims 1, 8 and 13 being the independent claims. Claims 1-2, 5-11 have been allowed, claims 14 and 19 indicated as allowable, and claims 13 and 16 rejected.

Rejection of Claims 13 and 16

The Examiner continues to maintain his rejection of claims 13 and 16 under 35 U.S.C. §102(b) as anticipated by Dudley (4,123,207), Harris et al. (5,593,702) and the prior art discussed in the instant application, at page 2, line 13 through page 3, line 4, and the drawing 'AS' of the Information Disclosure Statement. The Examiner interprets the holding plate 813 in the Dudley patent, the circular holding plate holding shroud 33 (Fig. 3) of the Harris patent, and the cover plate disk which holds the prior art insulation material in the recess as constituting insulation plugs

or plates. Applicant strenuously disagrees with the Examiner's interpretation. As stated in the Dudley patent, at column 4, lines 24-27, the plate 813 is a "holding plate" for a glass filled teflon gasket 815A, which is precisely the structure that the present invention replaces, as described in the specification and shown in the drawing 'AS'. The teflon gasket performs the insulation function; the holding plate 813 simply holds the insulation gasket in place. Similarly in the Harris patent, the holding plate shown in Fig. 3 serves only to hold the protective cup-shaped shroud element 33 in the center recess of the die ring to prevent agglomeration (column 5, lines 57-61).

There is no mention of insulation as a function of the holding plate or that such plates have a "low heat conductivity" in any of the prior art references. As such, the Examiner's contention that the prior art holding plates act as insulation plugs is pure speculation.

In any event, Applicant has amended claim 13 to clearly distinguish the insulation plug of the present invention from the holding plates of the prior art. In particular, claim 13 now recites that the insulation plug "generally fill" the die face central recess. In contrast, the holding plates of the prior art do not provide this structure. Further, claim 13 recites that the insulation plug has an inner surface in contact with at least a portion of the bottom surface of the die central recess and a generally cylindrical side wall surface which is in contact with at least a portion of the recess peripheral surface. In contrast, the

holding plates of the prior art are neither in contact with the recess bottom surface nor the recess peripheral surface. As such, the structure of these prior art holding plates differ from that of the claimed invention and are unable to perform the insulation function contemplated and achieved by the structure of the present invention. Applicant submits, therefore, that claim 13 now clearly defines patentably over the prior art cited and relied upon by the Examiner and is now in condition for allowance, along with claim 16, which also is allowable because it depends from a now allowable base claim.

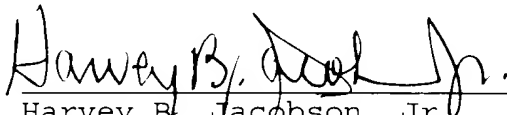
Interview Request

Applicant submits that this Amendment complies with all of the requirements of 35 U.S.C. §1.116. However, Applicant also requests an interview to resolve any issues or answer any questions that the Examiner may have regarding the changes made in the claims.

Conclusion

In view of the foregoing, Applicant submits that this application is now in condition for allowance and an early notice thereof is earnestly requested.

Respectfully submitted,
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